



PATENT
Docket No.: 57953/1115

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Benfey et al.
Serial No. : 09/265,585
Cnfrm. No. : 4702
Filed : March 10, 1999
For : SCARECROW GENE, PROMOTER AND
USES THEREOF

Examiner:
Stuart Baum

Art Unit:
1638

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AMENDMENT

U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202
Box:

Dear Sir:

In response to the June 5, 2002, office action, please amend the above-identified patent application as follows:

In the Claims:

✓
Please cancel claims 42, 43, and 46, without prejudice.

✓
Please amend claims 36, 38, and 39 as follows:

E1
36. (Amended) A plant genetically-engineered to overexpress a SCARECROW protein or polypeptide, said protein or polypeptide being encoded by the nucleic acid molecule of claim 29 or 30, wherein cell division in the plant is increased, resulting in thicker roots and/or straighter stems than a non-genetically engineered plant.

E2
38. (Amended) A plant genetically-engineered to overexpress a SCARECROW protein or polypeptide comprising SEQ ID NO: 96, wherein the plant's stem or hypocotyl exhibits stronger directional growth away from a gravity vector than non-genetically engineered plants.

39. (Amended) The plant of claim 38 that is less susceptible to lodging than a non-genetically engineered plant.